



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EMN/JMK
F.#2009R00579

271 Cadman Plaza East
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May 18, 2012

By ECF and Electronic Mail

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Re: United States v. John Burke
Criminal Docket No. 09-135 (S-7) (SJ)

Dear Counsel:

The government writes to advise you that it is considering calling John Paul Osborn, a handwriting expert, at the trial in this matter. In the event the government does decide to call Mr. Osborn, we will provide you, pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure, with a written summary of the testimony he will be expected to provide. In the interim, attached please find a copy of Mr. Osborn's curriculum vitae (not filed on ECF).

In the interests of time, we advise you that in the event we do decide to call Mr. Osborn, we anticipate that we will seek to qualify him as an expert in forensic document examination. Mr. Osborn is a forensic document examiner based in Union, New Jersey. He has been working in the field of forensic document examination since 1982, and received his training from 1982 to 1984 by Paul A. Osborn. Mr. Osborn is certified by the American Board of Forensic Document Examiners and is a member of the American Academy of Forensic Sciences, American Society of Questioned Document Examiners, Northeastern Association of Forensic Scientists, American Society for Testing and Materials, and New Jersey Association of Forensic Scientists. Mr. Osborn's work has been published in the Journal of Forensic Sciences. Mr. Osborn has testified as an expert witness in forensic document examination over 100 times.

If called, Mr. Osborn will likely be asked to testify as to whether or not one or more of the letters currently marked

for identification as Government Exhibits 426, 427 and 428 were written by the defendant. Mr. Osborn's testimony would be expected to include the findings in any report he may issue and an explanation for such findings. Mr. Osborn would also be expected to testify as to his qualifications, including the qualifications set forth in his curriculum vitae.

The government reserves the right to call substitute expert witnesses as well as to call additional expert witnesses, and will provide advance notice of any intent to do so. The government also renews its request for reciprocal discovery from the defendant, including notice of any anticipated defense experts.

Please let us know if you have any questions.

Sincerely,

LORETTA E. LYNCH
United States Attorney

By: /s/
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Enclosure